

REMARKS

Claims presented for prosecution in this Application are 1-13. Claims 1, 2 and 9-12 have been rejected over cited prior art. In view of Applicant's amendments and remarks below, Applicant respectfully submits that claims 1-13 are now in condition for allowance. Accordingly, Applicant respectfully requests that the present Response be considered and entered, the rejections to the claims be withdrawn, and that the case now be passed to issue.

The 35 U.S.C. § 112 Second Paragraph Rejection of Claim 6

The Examiner has rejected claim 6 as indefinite, stating that it is unclear how sear guide 34 can be considered to extend through a slot in sear 32. In response, Applicant notes page 3, lines 32-33 of Applicant's specification which states, "[t]he sear guide 34 includes a pair of pins 52,54 that extend between the swing arm panels 44,46 and through a slot 56 in the sear 32".

In light of the disclosure noted above, and further in view of drawing figure 5, Applicant respectfully requests that the 35 U.S.C. § 112, second paragraph, rejection of claim 6 now be withdrawn.

The 35 U.S.C. § 102(b) Rejection of Claims 10-12 over Thomas

The Examiner has rejected claims 10-12 as being anticipated by Thomas. Applicant traverses this rejection and respectfully asserts that Thomas does not anticipate each and every aspect of, at least, newly amended independent claim 10.

As newly amended, claim 10 now explicitly recites that the access port disposed in the slide is "separate from a cartridge ejection port formed in said slide".

In contrast, the Examiner is apparently relying upon Thomas' ejection port formed in the top of slide 21 to read upon Applicants' access port. Newly amended claim 10 now specifically recites that the access port is separate from this ejection port. Moreover, there is no teaching in Thomas that Thomas' firing mechanism may be accessed through the ejection port. That is, there is no teaching or suggestion within Thomas that an access port may be formed in Thomas' slide, apart from the unnumbered ejection port, through which the firing mechanism of Thomas may be accessed.

Given that Thomas does not disclose each and every aspect of newly amended claim 10, Applicant respectfully asserts that claim 10, and those dependent thereon, clearly distinguishes over the cited prior art and therefore respectfully requests that the outstanding rejection be withdrawn.

Should, however, the Examiner believe that there remains any outstanding issues, Applicant respectfully requests that the Examiner contact Applicant's Representative so as to expedite resolution of these outstanding issues, by way of an Examiner's amendment or the like.

The 35 U.S.C. § 102(b) Rejection of Claims 1, 2 and 9-11 over Ruger

The Examiner has rejected claims 1, 2 and 9-11 as being anticipated by Ruger. Applicant traverses this rejection and respectfully asserts that Ruger does not anticipate each and every aspect of, at least, newly amended independent claim 1.

As newly amended, claim 1 now explicitly recites both a slide having a cartridge ejection port, as well as *"an access port disposed in the slide"*.

In contrast, the Examiner is relying upon Ruger's ejection port 17 formed in the top of slide 12 to read upon Applicant's access port. Newly amended claim 10 now specifically recites that the access port and the ejection port are separate elements. Moreover, although somewhat unclear from the outstanding Office Action, it appears

that the Examiner suggests that the back of slide 12 may also read upon Applicant's recited access port. Applicant contests such an interpretation of Ruger and respectfully requests that the Examiner point out those sections of Ruger which teach that the "*sear is accessible through*" such an opening, as explicitly recited in claim 1.

Applicant further asserts that there is no teaching or suggestion within Ruger that an access port may be formed in Ruger's slide, apart from ejection port 17, through which the firing mechanism of Thomas may be accessed.

Given that Ruger does not disclose each and every aspect of newly amended claim 1, Applicant respectfully asserts that claim 1, and those dependent thereon, clearly distinguishes over the cited prior art and therefore respectfully request that the outstanding rejection be withdrawn.

Should, however, the Examiner believe that there remains any outstanding issues, Applicant respectfully requests that the Examiner contact Applicant's Representative so as to expedite resolution of these outstanding issues, by way of an Examiner's amendment or the like.

The 35 U.S.C. § 103 Rejection of Claim 12 over either Ruger in view of Hillberg

The Examiner has rejected claim 12 as being obvious over Ruger in view of Hillberg. Applicant traverses this rejection and respectfully asserts that neither Presnick nor Hillberg, either alone or in combination, renders obvious each and every aspect of, at least, independent claim 10.

With respect to the existing rejection, Applicant asserts that independent claim 10 is allowable over the cited art of record for the reasons as expressed above, Hillberg adding no pertinent disclosure to that of Ruger in this regard. Applicant therefore respectfully asserts that dependent claim 12 is allowable on this basis alone and respectfully request that the Examiner withdraw the existing 35 U.S.C. § 103 rejection of claim 12.

Should, however, the Examiner believe that there remains any outstanding issues, Applicant respectfully requests that the Examiner contact Applicant's Representative so as to expedite resolution of these outstanding issues, by way of an Examiner's amendment or the like.

CONCLUSION

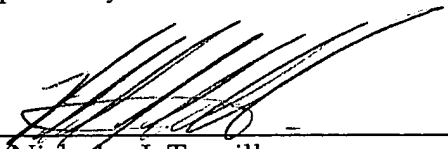
In view of the remarks above, it is respectfully submitted that claims 1-13 are allowable, and an early action to that effect is earnestly solicited.

The Examiner is invited to contact the undersigned at the number below to expedite resolution of any issues that the Examiner may consider to remain unresolved. In particular, should a Notice of Allowance not be forthcoming, the Examiner is requested to phone the undersigned for a telephonic interview while the outstanding issues are fresh in the mind of the Examiner.

It is believed that no additional fees or deficiencies in fees are owed. However, authorization is hereby given to charge our Deposit Account No. 13-0235 in the event any additional fees are owed.

Respectfully submitted,

By


Nicholas J. Tuccillo
Registration No. 44,322
Attorney for Applicant

McCORMICK, PAULDING & HUBER LLP
CityPlace II, 185 Asylum Street
Hartford, CT 06103-4102
Tel.: (860) 549-5290
Fax: (860) 527-0464

Version with Markings to Show Changes Made

A marked-up version of the amendments are shown below showing additions with underlining and deletions between brackets.

IN THE CLAIMS:

1. (Once Amended) A semi-automatic firearm, comprising:
 - a magazine;
 - a frame with a magazine well for receiving the magazine;
 - a slide removably mounted on the frame, wherein the slide includes a cartridge ejection port and may be in a chamber closed position and a chamber open position;
 - a striker firing-pin assembly mounted within the slide;
 - a firing mechanism having a trigger, a trigger bar, and a sear; and
 - an access port disposed in the slide;wherein when the slide is in said chamber closed position, said sear is accessible through said access port.

10. (Once Amended) A semi-automatic firearm, comprising:
 - a frame;
 - a slide removably mounted on the frame;
 - a firing mechanism; and
 - an access port disposed in the slide, said access port being separate from a cartridge ejection port formed in said slide;wherein the firing mechanism is accessible through the access port and can be manipulated to allow removal of the slide from the frame.